

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
KATHERINE TANAKA  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
702-388-6577 Phone  
5 Katherine\_Tanaka@fd.org

6 Attorney for Wayne Thomas

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 WAYNE THOMAS

13 Defendant.

Case No: 2:20-mj-0113-EJY

**STIPULATION TO VACATE  
STATUS HEARING  
AND CLOSE CASE**

14  
15 IT IS HEREBY STIPULATED AND AGREED, by and between United States  
16 Attorney Nicholas A. Trutanich and Special Assistant United States Attorney Rachel L. Kent,  
17 counsel for the United States of America, and Federal Public Defender Rene L. Valladares  
18 and Assistant Federal Defender Katherine Tanaka, counsel for Wayne Thomas that the status  
19 hearing previously scheduled for June 16, 2020 at 1:30 p.m. be vacated and the case closed.

20 This Stipulation is entered into for the following reasons:

21 1. Defendant was cited for Entering Premises Under the Influence of Alcohol, in  
22 violation of 38 C.F.R. § 1.218(a)(16), Citation No. 7538305/N4.

23 2. On March 9, 2020, Defendant entered into a petty offense diversion agreement  
24 with the Government. The diversion agreement required Defendant to complete the following  
25 conditions: (1) complete an eight hour online alcohol treatment course; and (2) not violate any  
26

1 local, state, or federal laws. In exchange for successful completion of the conditions, the  
2 Government agreed to dismiss Citation No. 7538305/N4.

3 3. Defendant has successfully completed the conditions. Defendant completed an  
4 eight hour online alcohol treatment course and has reported he has not violated any local,  
5 state, or federal laws.

6 4. The Government is satisfied Defendant has met the terms of the diversion  
7 agreement and will dismiss Citation No. 7538305/N4.

8 5. Because Defendant has successfully completed the terms of the diversion  
9 agreement, the parties request the Court vacate the status hearing and ask that the case be  
10 closed.

11 DATE: June 15, 2020

12  
13 RENE L. VALLADARES  
Federal Public Defender

14 By /s/ Katherine Tanaka

15 KATHERINE TANAKA  
16 Assistant Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

By /s/ Rachel L. Kent

RACHEL L. KENT  
Special Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 WAYNE THOMAS

7 Defendant.

Case No2:20-mj-0113-EJY

~~PROPOSED~~ ORDER

8  
9 **ORDER**

10 Based on the pending Stipulation of counsel, the Court finds Defendant has  
11 successfully completed the conditions of the diversion agreement.

12 IT IS THEREFORE ORDERED that Citation No. 7538305/N4 is dismissed and the  
13 case is closed.

14 DATED this 15th day of June, 2020.

15   
16 UNITED STATES MAGISTRATE JUDGE